IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAMES COLBERT,)
Plaintiff,)
-vs-) Case No. 09-CV-168-FHM
MICHAEL ASTRUE,)
Commissioner of the)
Social Security Administration,)
Defendant.)

OPINION AND ORDER

Before the Court is Defendant's Motion To Reverse and Remand to the Commissioner for further administrative proceedings (Doc. 18). Specifically, Defendant requests that this case be remanded so the ALJ can evaluate the medical opinion evidence and provide an appropriate explanation for accepting or rejecting such opinion evidence in accordance with 20 C.F.R. § 416.927 and SSRs 96-2p and 96-5p. In particular, the ALJ should provide specific reasons for accepting or rejecting the medical opinion evidence of Terri Stonehocker, Plaintiff's treating physician; Dr. Linda Craig, a consultative physician; and Dr. Burnard Pearce, a State agency physician.

Upon examination of the merits, the Court finds that the Motion should be granted, and it is hereby ORDERED, ADJUDGED AND DECREED that this case is reversed and remanded to the Defendant for further administrative action pursuant to sentence four (4) of § 205(g) of the Social Security Act, 42 U.S.C. § 405(g). *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Upon remand, the Commissioner should set this case for rehearing and issue a new administrative decision.

THUS DONE AND SIGNED on this 7th day of April, 2010.

FRANK H. McCARTHY

UNITED STATES MAGISTRATE JUDGE